

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	Case No. 2:06CR205-WHA
)	
SEBASTIAN K. SMITH, JR.)	

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on September 25, 2006 before the undersigned Magistrate Judge. Present at this conference was the Honorable Donnie Bethel, counsel for the defendant, and Assistant United States Attorney Christopher Snyder, counsel for the government. As a result of the conference, it is

ORDERED as follows:

1. Jury selection is set for **October 24, 2006**. The trial of this case is set for the trial term commencing on **October 24, 2006** before **Senior United States District Judge W. Harold Albritton** and is expected to last two (2) trial days.

2. There are no motions currently pending.

3. Proposed voir dire questions shall be filed on or before **October 17, 2006**.

Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All Motions in Limine shall be filed on or before **October 17, 2006**. Motions in Limine must be accompanied by a brief. Failure to file a brief will result in denial of the motion.

5. Proposed jury instructions shall be filed on or before **October 17, 2006**.

6. The court will not consider a plea pursuant to Rule 11(c) (1)(A) or (C) unless notice is filed on or before **noon on October 12, 2006**. The government and defendant are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on **October 24, 2006**. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on **October 24, 2006**, as to all defendants, even though a particular guilty plea was not accepted by the court.

Done this 26th day of September, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE